

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LINDELL TATE,	:
Plaintiff	:
v.	: Case No. 3:18-cv-230-KRG-KAP
MARK BURKE,	:
Defendant	:

Memorandum Order

Plaintiff's motion to compel at ECF no. 97, is denied.

The motion was submitted at the same time as the similar motion at ECF no. 92, but due to a scanning error was not put on the record until yesterday. My June 27, 2022 discussion of the first motion at ECF no. 96 applies to this one as well. What Tate calls a motion to compel is mostly simple interrogatories, and no motion to compel is appropriate until the interrogatories have been responded to in accordance with the schedule at ECF no. 96. Additionally, many of the interrogatories in what Tate styles as a motion to compel are actually attempts to have the defendant give expert opinion evidence, *see e.g.* Questions 2-7, 17, and Burke would never be compelled to give expert opinions to Tate.



DATE: July 14, 2022

Keith A. Pesto,
United States Magistrate Judge

Notice by ECF to counsel and by U.S. Mail to:

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